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Message Text

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ACTION EA-12

INFO OCT-01 ISO-00 HA-05 CIAE-00 DODE-00 PM-05 H-01
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FM AMEMBASSY KUALA LUMPUR
TO SECSTATE WASHDC 7815

C O N F I D E N T I A L KUALA LUMPUR 9021

E. O. 11652: GDS
TAGS: SHUM, PINS, MY
SUBJ: INQUIRIES INTO DETENTION OF SYED HUSIN ALI, ONG LOONG SHENG AND LEM HENG SIEW

REF: A) KUALA LUMPUR 4863, B) KUALA LUMPUR 4395, C) KUALA LUMPUR 4393, D) KUALA LUMPUR 4392, E) STATE 122539, F) KUALA LUMPUR 2232, G) STATE 048452

1. SUMMARY. THE GOM HAS PROVIDED US ONLY WITH FRAGMENTARY INFORMATION ON THE THREE DETAINEES WE HAVE INQUIRED ABOUT, ALTHOUGH WE DID LEARN SOMETHING OF THE DETENTION CONDITIONS FOR PERSONS HELD UNDER THE INTERNAL SECURITY ACT. THE GOM IS EXTREMELY SENSITIVE TO USG INQUIRIES ABOUT DETAINEES, BUT IS NONETHELESS WELL AWARE OF OUR HUMAN RIGHTS CONCERNS. END SUMMARY.

2. FOLLOWING THE EFFORST OULINTED IN RETELS A, B, C, D, AND F, WHICH INCLUDED WORKING LEVEL CONTACTS WITH MFA AND GENERAL HUMAN RIGHTS DISCUSSIONS BETWEEN THE AMBASSADOR AND THE PRIME MINISTER, THE FOREIGN MINISTER AND THE HOME AFFAIRS MINISTER, THE MFA AMERCUAS DESK OFFICER CALLED IN EMBOFF JUNE 26 TO DISCUSS THE DETENTION OF SYED HUSIN ALI, ONG LOONG SHEN AND LEM HENG SIEW. THE DESK OFFICER HAD ONLY FRAGMENTARY INFORMATION ON SYED HUSIN AND ONG LOONG SHEN AND SAID THAT THE HOME AFFAIRS MINISTRY COULD NOT TRACE LEM HENG SIEW. AFTER WAITING FOR THE ELECTIONS TO PASS, AND AFTER
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TRYING FOR SOME TIME TO MAKE CONTACT WITH MALAYSIAN BAR COUNCIL OFFICIALS, WE SOUGHT FURTHER INFORMATION ON THE THREE FROM A BAR COUNCIL REPRESENTATIVEIN A MEETING AUGUST 4. HOWEVER THE BAR COUNCIL OFFICIAL TOLD US IT DOES NOT KEEP FILES ON INDIVIDUAL DETAINEES THOUGH THEY ARE GREATLY CONCERNED ABOT THE PRINCIPLE OF DETENTION WITHOUT TRIAL AND HAVE WORKED ACTIVELY AGAINST IT.

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3. THE GOM WAS ABLE TO PROVIDE THE FOLLOWING INFORMATION ON
SYED HUSIN ALI AND ONG LOONG SHENG. BOTH ARE DETAINED AT THE
DEMUNTING DETENTION CAMP,TAIPING PERAK, UNDER SECTION 8 (1) OF THE
INTERNAL SECURITY ACT. (OUR LATEST INFORMATION HAD IT THAT
ONG WAS ATTHE BATU GAJAH DETENTION CENTER, ALSO IN PERAK.)
ACCORDING TO THE MFA DESK OFFICER, THE INVESTIGATION IN THE CASE OF
SYED HUSIN WAS"VERY THOROUGH" AND APPARENTLY IT WAS FELT THAT HIS
ACTIVITIES WERE INDEED LIKELY TO BE INJURIOUS TO NATIONAL SDAURITY
ONG (OR NG PENG HUAN, AS HE IS LISTED IN THE HOME AFFAIRS MINISTRY
RECORDS) IS SUPPOSEDLY A HARD-CORE AND UNREPENTENT COMMUNIST ACTIVIST
ARRESTED ABOUT 1967. OUR FILES CONTAIN NO MORE INFORMATION ON ANY
OF THE THREE DETAINEES THAN WAS PROVIDED BY THE PERSONS INQUIRING ON
THEIR BEHALF.

4. IN THE COURSE OF OUR INQUIRIES WE WERE ABLE TO OBTAIN SOME
INFORMATION ON THE GENERAL CONDITIONS OF DETENTION UNDER THE
INTERNAL SECURITY ACT. THE BATU GAJAH CAMP IS RESERVED FOR HARD-
CORE AND POTENTIALLY VIOLENT DETAINEES, INCLUDING CAPTURED "COMM-
UNIST TERRORISTS." DISCIPLINE IS STRICT AND ACCESS BY VISITORS OTHER
THAN LAWYERS IS RESTRICTED UNTIL DETAINEES' GOOD BEHAVIOR AFTER
MONTHS OF"PROBATION" IS DEEMED TO WARRANT SUCH PRIVILEGES. CONDITIONS
AT BATU GAJAH ARE SIMILAR TO THOS AT
PRISONS FOR CONVICETE CRIMINALS, I.E. NOT PARTICULARLY PLEASANT
BUT ADEQUATE BY ASIAN STANDARS. KEMUNTING, ON THE OTHER HAND, IS
THE DETENTION CAMP FOR PERSONS THE GOM CONSIDERS"MISGUIDED"OR "
NON-VIOLENT" ANTI-NATIONALS, INCLUDING SEVERAL PROMINENT POLITICAL
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FIGURES. AT KEMUNTING HTERE IS A GRADUATEDSYSTEM OF PRIVILEGES.
NEWLY ARRIVED DETAINEES ARE KEP UNDER CLOSEST PRIVILGES FOR
AN INITIAL MONTH OR TWO. LATER THESE PRIVILEGES ARE LIBERALIZED
TO ALLOW MONTHLY VISITS FROM FAMILY AND TO SEND AND RECEIVE MAIL
FREELY (ALTHOUGH ALL MAIL IS EXAMINED). AT KEMUNTING DETAINEES
LIVE IN DETACHED COTTAGES WITHIN THE CAMP WALLS AND ARE ALLOWED
TO CIRCULATE AND MIX TOGETHER DURING DAYLIGHT HOURS.

5. COMMENT. THE EMBASSY'S DEALINGS WITH THE GOM FOR INFORMATION
ON THESE THREE DETAINEES HAVE BEEN
LOW-KEY AND NON-CONFRONTATIONAL. THE INITIAL APPROACHED WERE AT
THE WORKING LEVEL, AND THE AMBASSADOR'S INTERVENTIONS WITH SENIOR
OFFICIALS WERE MADE IN THE COURSE OF CONVERSATIONS ON OTHER TOPICS
SUCH AS THE INDOCHINESE REFUGEE PROBLEM. THE GOM'S INSISTENCE THAT
HOME AFFAIRS OFFICIALS NOT MEET WITH US DIRECTY AND THE PAUCITY OF
INFORMATION FINALLY PROVIDED, EVEN AFTER THE AMBASSADOR'S APPROACHES,
REFLECT THE GOVERNMENT'S SENSITIVITY TO WHAT IT PERCEIVED AS USG
INTERVENTION ON BEHALF OF ISA DETAINEES. (AT MOST, THE GOM WOULD
PREFER TO DEAL ONLY WITH DIRECT INQUIRIES FROM NON-GOVERNMENTAL
ORGANIZATIONS SUCH AS AMNESTY INTERNATIONAL.) WE BELIEVE THIS
ATTITUDE IS CENTERED IN THE HOME AFFAIRS MINISTRY WHICH OBJECTS
IN PRINCIPLE TO OUTSIDE INQUIRIES INTO THEIR ACTIVITIES WHETHER

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BY OTHER ELEMENTS OF THE GOM, PRIVATE ORGANIZATIONS OR FOREIGN
GOVERNMENTS. THERE IS NO QUESTION, HOWEVER, THAT THE GOM, FROM
THE PRIME MINISTER ON DOWN, FEELS THAT ITS POLICY OF DETAINING
SUBVERSIVES WITHOUT TRIAL IS FULLY JUSTIFIED
ON PRACTICAL, LEGAL AND MORAL GROUNDS. NONETHELESS, WE BELIEVE
THE RSPONSE WE DID RECEIVE, ALBEITMINIMAL, IS ATTRIBUTABLE TO
THE FACT THAT SENIOR GOM OFFICIALS ARE WELL AWARE OF THE IMPORTANCE
THE USG ATTACHES TO ITS HUMAN RIGHTS POLICIES IN THE CONTEXT
OF OUR OVERALL BILATERAL RELATIONS.
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